

## § 73.81

impact areas. After once submitting an appropriate chart, subsequent annual charts are not required unless there is a change in the area, activity or altitude (or flight levels) used, which might alter the depiction of the activities originally reported. If no change is to be submitted, a statement indicating “no change” shall be included in the report.

(7) Include any other information not otherwise required under this part which is considered pertinent to activities carried on in the restricted area.

(c) If it is determined that the information submitted under paragraph (b) of this section is not sufficient to evaluate the nature and extent of the use of a restricted area, the FAA may request the using agency to submit supplementary reports. Within 60 days after receiving a request for additional information, the using agency shall submit such information as the Program Director for Air Traffic Airspace Management considers appropriate. Supplementary reports must be sent to the FAA officials designated in paragraph (a) of this section.

(Secs. 307 and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1354(a)))

[Doc. No. 15379, 42 FR 54798, Oct. 11, 1977, as amended by Amdt. 73-5, 54 FR 39292, Sept. 25, 1989; Amdt. 73-6, 58 FR 42001, Aug. 6, 1993; Amdt. 73-8, 61 FR 26435, May 28, 1996; Amdt. 73-8, 63 FR 16890, Apr. 7, 1998]

EDITORIAL NOTE: The restricted areas formerly carried as §§ 608.21 to 608.72 of this title were transferred to part 73 as §§ 73.21 to 73.72 under subpart B but are not carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these restricted areas, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

## Subpart C—Prohibited Areas

### § 73.81 Applicability.

This subpart designates prohibited areas and prescribes limitations on the operation of aircraft therein.

### § 73.83 Restrictions.

No person may operate an aircraft within a prohibited area unless authorization has been granted by the using agency.

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### § 73.85 Using agency.

For the purpose of this subpart, the using agency is the agency, organization or military command that established the requirements for the prohibited area.

EDITORIAL NOTE: Sections 73.87 through 73.99 are reserved for descriptions of designated prohibited areas. For FEDERAL REGISTER citations affecting these prohibited areas, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

## PART 75 [RESERVED]

## PART 77—OBJECTS AFFECTING NAVIGABLE AIRSPACE

SPECIAL FEDERAL AVIATION REGULATION NO. 98

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## Federal Aviation Administration, DOT

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AUTHORITY: 49 U.S.C. 106(g), 40103, 40113–40114, 44502, 44701, 44718, 46101–46102, 46104.

SOURCE: Docket No. 1882, 30 FR 1839, Feb. 10, 1965, unless otherwise noted.

#### SPECIAL FEDERAL AVIATION REGULATION NO. 98—CONSTRUCTION OR ALTERATION IN THE VICINITY OF THE PRIVATE RESIDENCE OF THE PRESIDENT OF THE UNITED STATES

Section 1. *Construction or alteration near the private residence of the President.* This section applies to:

(a) Any object of natural growth, terrain, or permanent or temporary construction or alteration, including appurtenances and equipment or materials used therein.

(b) Any apparatus of a permanent or temporary character.

Section 2. *Notice of Construction/Alteration.* Proponents proposing construction or alteration of any object described in Section 1 that would exceed 50 feet AGL and is within 3 NM radius of lat. 31°34'45 N, long. 97°32'00 W shall notify the Administrator in the form and manner prescribed in 14 CFR 77.17.

Section 3. *Obstruction Standard.*

(a) Any object described in Section 1 that would exceed 50 feet AGL and is within 3 NM radius of lat. 31°34'45N, long. 97°32'00W is an obstruction and is presumed to adversely affect aviation safety and therefore is a hazard to air navigation.

(b) A Determination of No Hazard will be issued only when the FAA determines, based upon submitted information and in consultation with the USMC and the SSPPD, that the construction or alteration will not ad-

versely affect safety and would not result in a hazard to air navigation.

Section 4. *Termination.* This rule will terminate at the end of President George W. Bush's term in office.

[Doc. No. FAA-2003-14972, 68 FR 19732, Apr. 22, 2003; 68 FR 23584, May 5, 2003]

### Subpart A—General

#### § 77.1 Scope.

This part:

(a) Establishes standards for determining obstructions in navigable airspace;

(b) Sets forth the requirements for notice to the Administrator of certain proposed construction or alteration;

(c) Provides for aeronautical studies of obstructions to air navigation, to determine their effect on the safe and efficient use of airspace;

(d) Provides for public hearings on the hazardous effect of proposed construction or alteration on air navigation; and

(e) Provides for establishing antenna farm areas.

#### § 77.2 Definition of terms.

For the purpose of this part:

*Airport available for public use* means an airport that is open to the general public with or without a prior request to use the airport.

*A seaplane base* is considered to be an airport only if its sea lanes are outlined by visual markers.

*Nonprecision instrument runway* means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved, or planned, and for which no precision approach facilities are planned, or indicated on an FAA planning document or military service military airport planning document.

*Precision instrument runway* means a runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated by an FAA approved airport